

Application No. 09/724,552
Amendment dated September 3, 2003
Reply to Office Action of June 3, 2003

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings of claims in the application:

Listing of Claims:

- ~~1-46. Canceled.~~
47. (Currently Amended) A pharmaceutical composition comprising [an] a chimeric, humanized or human antibody that specifically binds to an epitope within residues 1-10 of A β and a pharmaceutical carrier.
- ~~48-66. Canceled.~~
67. (Currently Amended) A diagnostic kit, comprising [an] a chimeric, humanized or human antibody that specifically binds to an epitope with residues 1-10 of A β .
68. (Original) The kit of claim 67, further comprising labeling describing use of the antibody for *in vivo* diagnosis or monitoring of a disease associated with amyloid deposits of A β in the brain of a patient.
69. (Previously Presented) The pharmaceutical composition of claim 47, wherein the antibody specifically binds to an epitope within residues 1-6 of A β .
70. (Previously Presented) The pharmaceutical composition of claim 47, wherein the antibody specifically binds to an epitope within residues 1-5 of A β .
71. (Previously Presented) The pharmaceutical composition of claim 47, wherein the antibody specifically binds to an epitope within residues 1-4 of A β .
72. (New) The pharmaceutical composition of claim 47, which is a sustained release composition.
73. (New) The pharmaceutical composition of claim 47, wherein the isotype of the antibody is human IgG1.

74. (New) A pharmaceutical composition comprising an antibody that specifically binds to an epitope within A β 1-5 and a pharmaceutical carrier.

75. (New) The pharmaceutical composition of claim 74, wherein the carrier is a physiologically acceptable diluent for parenteral administration.

76. (New) The pharmaceutical composition of claim 74, wherein the pharmaceutical composition is a sustained release composition.

77. (New) The pharmaceutical composition of claim 74, wherein the isotype of the antibody is human IgG1.

78. (New) The diagnostic kit of claim 67, wherein the antibody binds to an epitope within residues 4-10 of A β .

79. (New) The diagnostic kit of claim 67, wherein the antibody binds to an epitope within residues 8-10 of A β .

80. (New) The diagnostic kit of claim 67, wherein the antibody is labelled.

81. (New) The diagnostic kit of claim 67, wherein the antibody is labelled with a paramagnetic label.

82. (New) The diagnostic kit of claim 67, wherein the labelled antibody is detected by nuclear magnetic resonance.

83. (New) The diagnostic kit of claim 67, wherein the antibody lacks capacity to induce a clearance response on binding to an amyloid deposit in the patient.

Art Unit: 1647

Claims 1-46 (Cancelled)

¹
Claim ~~47~~ (Currently Amended) A pharmaceutical composition comprising a chimeric, or humanized ~~or human~~ antibody that specifically binds to an epitope within residues 1-10 of A β and a pharmaceutical carrier.

Claims 48-66 (Cancelled)

⁸
Claim ~~67~~ (Currently Amended) A diagnostic kit, comprising a chimeric, or humanized ~~or human~~ antibody that specifically binds to an epitope within residues 1-10 of A β .

Claim 68 (Cancelled)

²
Claim ~~69~~ (Previously Added) The pharmaceutical composition of claim ~~47~~¹, wherein the antibody specifically binds to an epitope within residues 1-6 of A β .

³
Claim ~~70~~ (Previously Added) The pharmaceutical composition of claim ~~47~~¹, wherein the antibody specifically binds to an epitope within residues 1-5 of A β .

⁴
Claim ~~71~~ (Previously Added) The pharmaceutical composition of claim ~~47~~¹, wherein the antibody specifically binds to an epitope within residues 1-4 of A β .

Art Unit: 1647

cont.

Claim ⁶~~72~~ (Previously Added) The pharmaceutical composition of claim ¹~~47~~, which is a sustained release composition.

Claim ⁶~~73~~ (Previously Added) The pharmaceutical composition of claim ¹~~47~~, wherein the isotype of the antibody is human IgG1.

Claim 74 (Cancelled)

Claim ⁷~~75~~ (Previously Added) The pharmaceutical composition of claim ¹~~47~~, wherein the carrier is a physiologically acceptable diluent for parenteral administration.

Claim 76-77 (Cancelled)

Claim ⁹~~78~~ (Previously Added) The diagnostic kit of claim ⁸~~67~~, wherein the antibody binds to an epitope within residues 4-10 of A β .

Claim ¹⁰~~79~~ (Previously Added) The diagnostic kit of claim ⁸~~67~~, wherein the antibody binds to an epitope within residues 8-10 of A β .

Claim ¹¹~~80~~ (Currently Amended) The diagnostic kit of claim ⁸~~67~~, wherein the antibody is ~~labelled~~ labeled.

Art Unit: 1647

cont. ¹² Claim ~~81~~ (Currently Amended) The diagnostic kit of claim ⁸ ~~67~~, wherein the antibody is labelled
labeled with a paramagnetic label.

Claims 82-83 (Cancelled)

5. Authorization for this examiner's amendment was given in a telephone interview with Rosemaire Celli (Reg. No. 42,397) on 14 November 2003.

In the Title:

HUMANIZED AND CHIMERIC N-TERMINAL AMYLOID BETA-ANTIBODIES

Summary

6. Claims 47, 67, 69-73, 75, and 78-81 are hereby allowed.

7. The Examiner acknowledges that acceptance of the above Examiner's Amendment does not mitigate in any way, shape, or form, Applicant's right to pursue additional subject matter in continuation, continuation-in-part, and/or divisional applications pursuant to 35 U.S.C. §120 and §121.

8. The following articles, patents, and published patent applications were found by the Examiner during the art search while not relied upon are considered pertinent to the instant application: